

**AMENDMENTS TO THE CLAIMS**

*Please amend the claims as follows:*

1. (Currently amended) A digital camera with an automatic image transmission function, comprising:

a transmission section for transmitting photo images; and

a transmission control unit connected to said transmission section, said transmission control unit judging whether a transmission allowance condition of completion of photography is satisfied, wherein

if said transmission control unit judges that the completion of photography condition is satisfied, then said transmission control unit judges whether there is at least one transmission allowance condition other than the completion of photography to be checked, and

if said transmission control unit judges that there is no transmission allowance condition other than the completion of photography, then said transmission section transmits said photo images.

~~a predetermined transmission allowance condition is satisfied and allowing the transmission of photo images when said predetermined transmission allowance condition is satisfied; wherein~~

~~said predetermined transmission allowance condition includes a condition when photography is completed.~~

2. (Currently amended) The digital camera as claimed in claim-1 54, further comprising a battery, wherein:

said transmission control unit includes a battery status-obtaining section connected to said battery, and

said battery status-obtaining section obtains a storage level of said battery; and

said ~~predetermined~~ at least one transmission allowance condition other than the completion of photography includes ~~a condition when the storage level of said battery has a~~ being at or above a predetermined storage level.

3. (Original) The digital camera as claimed in claim 2, further comprising an LCD monitor, wherein

said transmission control unit includes an image quality selection-obtaining section connected to said LCD monitor, and said image quality selection-obtaining section notifies a user that said photo images are transmittable by changing an image quality, based on the information of remaining storage level of said battery obtained by said battery status-obtaining section, and obtains a selection of said image quality from the user; and

said predetermined transmission allowance condition includes a condition when a data amount required for said selected image quality is within a predetermined range.

4. (Currently amended) The digital camera as claimed in claim ~~1~~ 54, further comprising a timer, wherein:

said transmission control unit includes a time-obtaining section connected to said timer, and

said time-obtaining section obtains time; and

said ~~predetermined~~ at least one transmission allowance condition other than the completion of photography includes a ~~condition when~~ said time is ~~in being~~ within a predetermined time range ~~appropriate for transmitting said photo images~~.

5. (Original) The digital camera as claimed in claim 4, wherein said transmission control unit notifies a user of a period of time to an end of said predetermined time range, based on said time obtained by said time-obtaining section.

6. (Currently amended) The digital camera as claimed in claim ~~1~~ 54, further comprising a memory that stores said photo images, wherein:

said transmission control unit includes a data amount-obtaining section connected to said memory, ~~and~~

said data amount-obtaining section obtains a data amount of said photo images to be transmitted; ~~and~~

said ~~predetermined~~ at least one transmission allowance condition other than the completion of photography includes a ~~condition when~~ a cost for transmitting said photo images based on the data amount calculated by said data amount is being within a predetermined cost range.

7. (Original) The digital camera as claimed in claim 6, wherein said data amount-obtaining section accepts a selection of said data amount by a user.

8. (Original) The digital camera as claimed in claim 6, further comprising:

a volatile memory connected to said data amount-obtaining section, said volatile memory providing said stored photo images to said transmission control unit and erasing said stored photo images after providing said photo images; and

a non-volatile memory connected to said data amount-obtaining section, said non-volatile memory storing said photo images after said transmission section transmits said photo images.

9. (Currently amended) The digital camera as claimed in claim ~~1~~ 54, wherein

~~said predetermined transmission allowance condition includes a condition when a remaining time for transmitting said photo images is shorter than a predetermined time, in a case where a cost for a transmission is calculated based on unit communication time,~~

a remaining time is an amount of time of a last unit communication time calculated as being not needed for transmission of the photo images, and

said at least one transmission allowance condition other than the completion of photography includes the remaining time being at or below a predetermined remaining time level.

10. (Currently amended) The digital camera as claimed in claim 1, further comprising a release switch; ~~wherein~~

said transmission control unit includes a transmission control-obtaining section connected to said release switch, and said transmission control-obtaining section obtains an instruction to control transmission of each of said photo images after photography.

11. (Previously Presented) The digital camera as claimed in claim 1, wherein said transmission control unit includes a transmission addressee registration section for registering a phone number of an addressee for transmitting said photo images.

12. (Withdrawn) The digital camera as claimed in claim 1, wherein:  
said predetermined transmission allowance condition includes a condition when a number of said photo images to be transmitted reaches a predetermined number; and  
the digital camera automatically transmits a plurality of said photo images at one time.

13. (Withdrawn) The digital camera as claimed in claim 1, wherein said predetermined transmission allowance condition includes a condition when a predetermined period of time has passed after photography is finished.

14. (Withdrawn) The digital camera as claimed in claim 1, wherein:  
said predetermined transmission allowance condition includes a condition when a power of the digital camera is to be turned off and there are said photo images to be transmitted; and  
said power is turned off after a plurality of said photo images to be transmitted are automatically transmitted at one time.

15. (Withdrawn) The digital camera as claimed in claim 1, wherein:

said predetermined transmission allowance condition includes a condition when a power of the digital camera is turned on and there are said photo images to be transmitted, a plurality of said photo images are automatically transmitted at one time.

16. (Withdrawn) The digital camera as claimed in claim 1, further comprising

a memory for temporarily and sequentially storing said photo images, wherein:

said predetermined transmission allowance condition includes a condition when at least one of a data capacity and a number of said photo images stored in said memory becomes more than a predetermined amount; and

the digital camera automatically transmits said photo images in an order that said photo images are stored.

17. (Withdrawn) The digital camera as claimed in claim 1, wherein the digital camera automatically transmits said photo images when a wireless communication means is communicable.

18. (Withdrawn) The digital camera as claimed in claim 1, wherein the digital camera suspends transmitting said photo images if a photography operation is started while transmitting said photo images, and restarts transmitting said suspended photo images after said photography operation is finished.

19. (Withdrawn) The digital camera as claimed in claim 1, wherein the digital camera has a plurality of said transmission allowance conditions, and said transmission allowance conditions are selectable.

20. (Currently amended) A method for controlling a transmission, comprising:

~~judging whether or not a predetermined transmission allowance condition is satisfied;  
transmitting photo images when it is judged that said predetermined transmission allowance condition is satisfied; and~~

judging whether or not photography is completed;

judging whether there is at least one transmission allowance condition other than a completion of photography to be checked when it is judged that the photography is completed;  
and

transmitting photo images when it is judged that there is no transmission allowance condition other than the completion of photography.

21. (Currently amended) The method as claimed in claim ~~20~~ 55, wherein the at least one transmission allowance condition includes a battery storage level condition, said method further comprising:

obtaining a storage level of a battery; and

judging the battery storage level condition to be satisfied ~~whether or not if the storage level of said battery has is at or above~~ a predetermined storage level.

22. (Original) The method as claimed in claim 21, further comprising:  
notifying a user that said photo images are transmittable by changing an image quality,  
based on obtained information of remaining storage level of said battery;  
obtaining a selection of said image quality from the user; and  
judging whether or not a data amount required for said selected image quality is within a  
predetermined range.

23. (Currently amended) The method as claimed in claim ~~20~~ 55, wherein the at least one  
transmission allowance condition other than the completion of photography includes an  
acceptable time condition, said method further comprising:

obtaining time; and  
judging the acceptable time condition as being satisfied if ~~whether or not~~ said time is ~~in~~  
within a predetermined time range ~~appropriate for transmitting said photo images.~~

24. (Currently amended) The method as claimed in claim 23, ~~wherein said judging further~~  
comprising notifies ~~notifying~~ a user of a period of time to an end of said predetermined time  
range, based on said obtained time.

25. (Currently amended) The method as claimed in claim ~~20~~ 55, wherein the at least one  
transmission allowance condition other than the completion of photography includes a data  
amount condition, said method further comprising:

obtaining a data amount of said photo images to be transmitted; and



judging ~~whether or not~~ said data amount condition as being satisfied if a cost for transmitting said photo images ~~calculated by~~ based on said data amount is within a predetermined cost range.

26. (Original) The method as claimed in claim 25, further comprising:

selecting a data amount by a user;

transmitting photo images corresponding to said data amount selected by the user.

27. (Currently amended) The method as claimed in claim ~~20~~ 55, wherein a cost of transmission is based on a number of units of communication time required for transmitting, wherein a remaining time is an amount of time of a last unit of communication time calculated as being not needed for transmission, and wherein the at least one transmission allowance condition other than the completion of photography includes a remaining time condition wherein the remaining time is an amount of time of a last unit , said method further comprising:

judging ~~whether or not a~~ the remaining time condition as being satisfied if the remaining time of a transmission time for transmitting said photo images is shorter than at or below a predetermined remaining time level, in a case where a cost for the transmission time is calculated based on unit communication time.

28. (Currently amended) The method as claimed in claims 20, further comprising:

obtaining an instruction to control transmitting for each of said photographed images, after photography.

29. (Previously Presented) The method as claimed in claim 20, further comprising:  
registering a phone number of an addressee for transmitting said photo images.
30. (Withdrawn) The method as claimed in claim 20, further comprising:  
judging whether or not a number of said photo images to be transmitted has reached a  
predetermined number; and  
transmitting a plurality of said photo images at one time when said number reaches said  
predetermined number.
31. (Withdrawn) The method as claimed in claim 20, further comprising  
judging whether or not a predetermined period of time has passed after photography is  
finished.
32. (Withdrawn) The method as claimed in claim 20, further comprising:  
judging whether or not a power of the digital camera is to be turned off; and  
judging whether or not there are said photo images to be transmitted, wherein  
said power is turned off after a plurality of said photo images to be transmitted are  
automatically transmitted at one time.
33. (Withdrawn) The method as claimed in claim 20, further comprising:  
judging whether or not a power of the digital camera is turned on; and

judging whether or not there are said photo images to be transmitted, wherein  
a plurality of said photo images are automatically transmitted at one time.

34. (Withdrawn) The method as claimed in claim 20, further comprising  
temporarily and sequentially storing said photo images in a memory;  
judging whether or not at least one of a data capacity and a number of said photo images  
stored in said memory has become more than a predetermined amount; and  
automatically transmitting said stored photo images in an order of storage.
35. (Withdrawn) The method as claimed in claim 34, further comprising  
erasing said photo images from a main memory after transmitting.
36. (Withdrawn) The method as claimed in claim 20, further comprising:  
obtaining information whether or not a wireless communication means is communicable;  
and  
automatically transmitting said photo images when a wireless communication means is  
communicable.
37. (Withdrawn) The method as claimed in claim 20, further comprising  
suspending transmitting of said photo images if a photography operation is started while  
transmitting said photo images and restarting transmitting said suspended photo images after said  
photography operation is finished.

38. (Previously Presented) The method as claimed in claim 20, wherein said judging is based on a plurality of conditions.

39. (New) The digital camera as claimed in claim 4, wherein said predetermined time range is based on a cost of transmission.

40. (New) The digital camera as claimed in claim 6, wherein when the cost for transmitting said photo images is above the predetermined cost range, said digital camera configured to provide a user an option to compress the photo images so that the cost of transmitting the compressed photo images is within the predetermined cost range.

41. (New) The digital camera as claimed in claim 6, wherein when the cost for transmitting said photo images is above the predetermined cost range, said digital camera configured to transmit a subset of said photo images so that the cost of transmitting the subset of said photo images is within the predetermined cost range.

42. (New) The digital camera as claimed in claim 41, wherein  
the cost of transmitting is based on a number of units of time, each unit of time being of a fixed duration, and  
the subset of said photo images is chosen to minimize an amount of a last unit of time not used for transmission.

43. (New) The digital camera as claimed in claim 54, wherein said at least one transmission allowance condition other than the completion of photography includes a time duration required for transmitting said photo images being at or above a predetermined time duration level.

44. (New) The digital camera as claimed in claim 1, wherein said transmission section transmits communicates wirelessly to a wireless communication device.

45. (New) The digital camera as claimed in claim 44, wherein said wireless communication device is a cell phone.

46. (New) The method of claim 20, wherein the method is performed by a camera for transmitting the photo images.

47. (New) The method as claimed in claim 23, wherein said predetermined time range is based on a cost of transmission.

48. (New) The method as claimed in claim 25, further comprising:

providing a user with an option to compress the photo images so that the cost of transmitting the compressed photo images is within the predetermined cost range when the cost for transmitting said photo images is above the predetermined cost range; and

compressing the photo images based on the user choosing to compress the photo images.

49. (New) The method as claimed in claim 25, further comprising transmitting a subset of said photo images so that the cost of transmitting the subset of said photo images is within the predetermined cost range when the cost for transmitting said photo images is above the predetermined cost range.

50. (New) The method as claimed in claim 49, wherein  
the cost of transmitting is based on a number of units of time, each unit of time being of a fixed duration, and  
the subset of said photo images is chosen to minimize an amount of a last unit of time not used for transmission.

51. (New) The method as claimed in claim 55, wherein said at least one transmission allowance condition other than the completion of photography includes a time duration required for transmitting said photo images being at or above a predetermined time duration level.

52. (New) The method as claimed in claim 20, further comprising:  
transmitting the photo images to a wireless communication device.

53. (New) The method as claimed in claim 52, wherein said wireless communication device is a cell phone.

54. (New) The digital camera as claimed in claim 1, wherein

if said transmission control unit judges that there is at least one transmission allowance condition other than the completion of photography to be checked, then said transmission control unit judges whether the at least one transmission allowance condition other than the completion of photography is satisfied and said transmission section transmits said photo images if said transmission control unit judges that the at least one transmission allowance condition other than the completion of photography is satisfied.

55. (New) The method as claimed in claim 20, further comprising:

judging whether the at least one transmission allowance condition other than the completion of photography is satisfied when it is judged that there is the at least one transmission allowance conditions other than the completion of photography; and

transmitting the photo images when it is judged that the at least one transmission allowance condition other than the completion of photography is satisfied.